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EXAMINER	
MASKULINSKI, MICHAEL C	
ART UNIT	**PAPER NUMBER**
2113	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/081,167	TONACK, MARK	
	Examiner	Art Unit	
	Michael C. Maskulinski	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *28,30 and 31* is/are allowed.

6)☒ Claim(s) *1 and 3-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Final Office Action

Claim Objections

1. Claim 20 is objected to because of the following informalities: in line 4, "the remote locations were the various" should be "the remote locations where the various". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 4, 6, 9-12, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogushi et al., US 2005/0197727 A1.

Referring to claim 1:

a. In paragraph 0021, Ogushi et al. disclose a host computer serving as a monitor apparatus for monitoring the operating states of the respective industrial equipments (monitoring the machine or machines).

b. In paragraph 0025, Ogushi et al. disclose that upon occurrence of a trouble, the host computer obtains status information such as the state of the trouble (detecting that a failure of at least one machine has occurred).

c. In paragraph 0045, Ogushi et al. disclose determining the emergency degree. In response to the failure, halting an in-progress production job being run on the failed machine is inherent to detecting an emergency situation.

d. In paragraph 0022 Ogushi et al. disclose that the host computer notifies status information representing the operating state of the corresponding industrial equipment (executing a computer program on an electronic terminal associated with the failed machine)

e. In Figure 5, Ogushi et al. disclose entering data relating to the condition of the failed machine (entering data relating to the condition of the failed machine into the computer program via the electronic terminal).

f. In paragraph 0032, Ogushi et al. disclose that the host computer looks up the trouble database for managing the maintenance of the industrial equipments (transmitting the data to a database server, thereby initiating a process to alter the condition of the failed machine).

g. In paragraph 0032, Ogushi et al. disclose that the host computer checks whether the same trouble state as the currently reported trouble state for the same industrial equipment has occurred in the past (compiling historical data relating to the condition of the one or more machines using the database server; wherein the historical information includes computer-generated data relating to the failure).

h. In paragraph 0034, Ogushi et al. disclose that upon reception of the response information, the host computer on the factory side automatically

restores the industrial equipment in trouble to a normal state (resuming the in-progress production job upon resolution of the failure).

Referring to claim 3, in Figure 5, Ogushi et al. disclose an electronic terminal that includes a monitor and further comprising displaying screen displays having data fields.

Referring to claim 4, in paragraph 0035, Ogushi et al. disclose that the report is displayed on the display of the computer and made by automatically transmitting an e-mail from the host computer to the mail address of the person in charge on the vendor side (transmitting the data to an email server, thereby initiating a process to transmit an alert to a maintenance technician).

Referring to claim 6, in paragraph 0035, Ogushi et al. disclose that the report is displayed on the display of the computer and made by automatically transmitting an e-mail from the host computer to the mail address of the person in charge on the vendor side (the alert is sent to a maintenance technician as an electronic mail message).

Referring to claim 9, in Figure 5, Ogushi et al. disclose at least a second of the data fields includes a text area for entering operator notes.

Referring to claim 10, in Figure 5, Ogushi et al. disclose wherein entering data relating to the condition of the one or more machines includes entering operator notes into the text area for entering operator notes.

Referring to claim 11, in Figure 5, Ogushi et al. disclose that the screen displays also include one or more electronic buttons for use with a pointing device to initiate certain operations.

Referring to claim 12, in Figure 5, Ogushi et al. disclose entering data with the pointing device and selecting an electronic button, thereby initiating transmitting the data to the database server.

Referring to claim 20:

a. In paragraph 0032, Ogushi et al. disclose a host computer, a trouble database, and industrial equipment connected in a network (a database server, including a communications connection that provides electronic access to one or more remote locations, including the remote locations where the various machines are located).

b. In paragraph 0022, Ogushi et al. disclose that the host computer notifies status information representing the operating state of the corresponding industrial equipment from the factory side to the vendor side (wherein the database server is configured to receive information from each of the one or more remote locations relating to the condition of the machine or machines at the location, wherein the database server is configured to store the information electronically such that the information may be later analyzed).

c. In paragraph 0033, Ogushi et al. disclose a host computer on the vendor side that recommends countermeasures to the host computer on the factory side (wherein the database server is further configured such that, upon receipt of a request from a remote location, the database server transmits an alert to the remote location, thereby initiating a process to alter the condition of the machine).

d. In paragraph 0032, Ogushi et al. disclose that the host computer checks whether the same trouble state as the currently reported trouble state for the same industrial equipment has occurred in the past (wherein the information includes historical information including computer-generated data relating to a machine failure).

e. In paragraph 0045, Ogushi et al. disclose determining the emergency degree. In response to the failure, halting an in-progress production job being run on the failed machine is inherent to detecting an emergency situation. In paragraph 0034, Ogushi et al. disclose that upon reception of the response information, the host computer on the factory side automatically restores the industrial equipment in trouble to a normal state (resuming the in-progress production job upon resolution of the failure).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogushi et al., US 2005/0197727 A1, and further in view of Jones et al., U.S. Patent 6,219,648 B1.

Referring to claim 5, in paragraph 0035, Ogushi et al. disclose that the report is displayed on the display of the computer and made by automatically transmitting an e-mail from the host computer to the mail address of the person in charge on the vendor side. However, Ogushi et al. doesn't explicitly disclose that an alert is sent to a maintenance technician's personal pager. In column 2, lines 24-32, Jones et al. disclose that the notification may comprise an alphanumeric or digital page, an e-mail message, an X-window terminal message and/or other types of electronic messages containing various information regarding the trouble ticket. It would have been obvious to one of ordinary skill at the time of the invention to include the messaging of Jones et al. into the system of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because there is a need to contact a technician in the system of Ogushi et al. as shown in paragraph 0035 and the messaging means of Jones et al. provides a suitable solution.

6. Claims 7, 8, 14, 15, 22, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogushi et al., US 2005/0197727 A1, and further in view of Cogger et al., U.S. Patent 6,032,184.

Referring to claim 7, in Figure 5, Ogushi et al. teaches a user interface for entering data related to the machine. However, Ogushi et al. don't explicitly disclose at least a first of the data fields includes a drop-down menu having a plurality of codes relating to potential conditions of the one or more machines. In Figure 6, Cogger et al. disclose at least a first of the data fields includes a drop-down menu having a plurality of codes relating to potential conditions of the one or more machines. It would have been

obvious to one of ordinary skill at the time of the invention to include the drop-down boxes of Cogger et al. into the system of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because *the interactive process described in FIGS. 5 and 6 minimizes the amount of time it takes for a customer to open a trouble ticket* (see Cogger et al.: column 12, lines 58-60).

Referring to claim 8, in Figure 6, Cogger et al. disclose entering data relating to the condition of the one or more machines includes selecting a code from the drop-down menu relating to the condition of the one or more machines.

Referring to claim 14, in Figure 5, Ogushi et al. teaches a user interface for entering data related to the machine. However, Ogushi et al. don't explicitly disclose at least a third one of the data fields includes a drop-down menu having a plurality of codes relating to potential repair activities required due to the failure of the machine. In Figure 6, Cogger et al. disclose at least a third one of the data fields includes a drop-down menu having a plurality of codes relating to potential repair activities required due to the failure of the machine. It would have been obvious to one of ordinary skill at the time of the invention to include the drop-down boxes of Cogger et al. into the system of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because *the interactive process described in FIGS. 5 and 6 minimizes the amount of time it takes for a customer to open a trouble ticket* (see Cogger et al.: column 12, lines 58-60).

Referring to claim 15, in Figure 6, Cogger et al. disclose selecting a code from the drop-down menu relating to a repair activity required due to the failure of the machine.

Referring to claim 22:

a. In paragraph 0021, Ogushi et al. disclose a host computer (a computer, including a central processor.

b. In Figure 5, Ogushi et al. teaches a user interface for entering data related to the machine (a monitor that graphically displays a user interface having various elements. However, Ogushi et al. don't explicitly disclose wherein at least a first of the various elements includes a drop-down menu having a plurality of codes relating to potential conditions of the one or more machines. In Figure 6, Cogger et al. disclose wherein at least a first of the various elements includes a drop-down menu having a plurality of codes relating to potential conditions of the one or more machines. It would have been obvious to one of ordinary skill at the time of the invention to include the drop-down boxes of Cogger et al. into the system of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because *the interactive process described in FIGS. 5 and 6 minimizes the amount of time it takes for a customer to open a trouble ticket* (see Cogger et al.: column 12, lines 58-60).

c. In Figure 5, Ogushi et al. disclose a data entry system that responds to commands to enter data into various ones of the elements).

d. In paragraph 0030, Ogushi et al. disclose that the host computer serving as the management apparatus on the vendor side waits for communication from the host computer in each factory (a communications arrangement for electronically interfacing to a central location, the central location being configured to electronically access one or more remote locations, including the location were the one or more machines to be maintained is/are located).

e. In paragraph 0032, Ogushi et al. disclose that the host computer receives status information from the factory side and checks whether the same trouble state as the currently reported trouble state for the same industrial equipment has occurred in the past (wherein the central location is further configured to receive information from each of the one or more remote locations relating to the condition of a machine or machines at the location, wherein the information includes historical information including computer-generated data relating to a machine failure).

f. In paragraph 0022, Ogushi et al. disclose that the host computer notifies status information representing the operating state of the corresponding industrial equipment from the factory side to the vendor side (wherein the central location is also configured to store the information electronically such that the information may be later analyzed).

g. In paragraph 0033, Ogushi et al. disclose a host computer on the vendor side that recommends countermeasures to the host computer on the factory side (wherein the central location is further configured such that upon receipt of a

request from a remote location, the central location sends an alert to the remote location, thereby initiating a process to alter the condition of the machine).

h. In paragraph 0045, Ogushi et al. disclose determining the emergency degree. In response to the failure, halting an in-progress production job being run on the failed machine is inherent to detecting an emergency situation. In paragraph 0034, Ogushi et al. disclose that upon reception of the response information, the host computer on the factory side automatically restores the industrial equipment in trouble to a normal state (resuming the in-progress production job upon resolution of the failure).

Referring to claim 23, in Figure 5, Ogushi et al. disclose at least a second of the data fields includes a text area for entering operator notes.

Referring to claim 24, in Figure 5, Ogushi et al. disclose that the screen displays also include one or more electronic buttons for use with a pointing device to initiate certain operations.

Referring to claim 26, in Figure 6, Cogger et al. disclose at least a third one of the data fields includes a drop-down menu having a plurality of codes relating to potential repair activities required due to the failure of the machine.

7. Claims 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogushi et al., US 2005/0197727 A1, and further in view of Levi, U.S. Patent 6,658,586 B1.

Referring to claims 13 and 21, in paragraph 0004, Ogushi et al. disclose that the object of the invention is to immediately and efficiently perform maintenance of industrial

equipments installed at remote locations. However, Ogushi et al. don't explicitly disclose that the industrial equipment includes mail processing equipment. In column 4, lines 8-13, Levi discloses that a machine that may be monitored over a network includes a server, a workstation, a personal computer, a laptop, a soft drink dispensing machine, a network postage machine, a printer, a personal digital assistant, a heating/ventilation/air conditioning (HVAC) system or another suitable device. It would have been obvious to one of ordinary skill at the time of the invention to include the monitored devices of Levi into the system of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because Ogushi et al. disclose a network with devices attached to it that report malfunctions. Any of the devices in the system of Levi would be connected to the network of Ogushi et al. and would have a need to report trouble tickets as shown in column 4, lines 12-25 of Levi. Further, in paragraph 0063, Ogushi et al. disclose extending their inventive concept to other machines and equipment.

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Ogushi et al., US 2005/0197727 A1 and Cogger et al., U.S. Patent 6,032,184 as applied to claim 22 above, and further in view of Levi, U.S. Patent 6,658,586 B1.

Referring to claim 25, in paragraph 0004, Ogushi et al. disclose that the object of the invention is to immediately and efficiently perform maintenance of industrial equipments installed at remote locations. However, neither Ogushi et al. nor Cogger et al. explicitly disclose that the industrial equipment includes mail processing equipment.

In column 4, lines 8-13, Levi discloses that a machine that may be monitored over a network includes a server, a workstation, a personal computer, a laptop, a soft drink dispensing machine, a network postage machine, a printer, a personal digital assistant, a heating/ventilation/air conditioning (HVAC) system or another suitable device. It would have been obvious to one of ordinary skill at the time of the invention to include the monitored devices of Levi into the combined system of Ogushi et al. and Cogger et al. A person of ordinary skill in the art would have been motivated to make the modification because Ogushi et al. disclose a network with devices attached to it that report malfunctions. Any of the devices in the system of Levi would be connected to the network of Ogushi et al. and would have a need to report trouble tickets as shown in column 4, lines 12-25 of Levi. Further, in paragraph 0063, Ogushi et al. disclose extending their inventive concept to other machines and equipment.

9. Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogushi et al., US 2005/0197727 A1, and further in view of Walker et al., U.S. Patent 5,963,911.

Referring to claims 16 and 17, in Figure 5, Ogushi et al. disclose a user interface for entering data about the malfunction. However, Ogushi et al. don't explicitly disclose at least a fourth one of the data fields includes a text area for entering information relating to the amount of time required to repair the machine and entering data relating to the amount of time required to repair the machine into the fourth one of the data fields. In column 6, lines 25-36, Walker et al. disclose calculating the amount of time the technician would take to perform each job. It would have been obvious to one of

ordinary skill at the time of the invention to include the calculation of the amount of time the technician would take to perform each job of Walker et al. into the data fields of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because it is important to any company or individual to know the length of downtime for a failure in order to adjust work schedules and productivity quotas.

Referring to claims 18 and 19, in Figure 5, Ogushi et al. disclose a user interface for entering data about the malfunction. However, Ogushi et al. don't explicitly disclose at least a fifth one of the data fields includes a text area for displaying information relating to the amount of time a repair technician spends taking breaks while altering the condition of the failed machine and entering information relating to the amount of time spent taking breaks into the fifth one of the data fields. In column 14, lines 17-24, Walker et al. disclose taking into account the amount of time required by the technician if a the technician needs to take a meal break. It would have been obvious to one of ordinary skill at the time of the invention to include the calculation of the amount of time the technician would take to for a meal break of Walker et al. into the data fields of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because it is important to any company or individual to know the length of downtime for a failure in order to adjust work schedules and productivity quotas.

10. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Ogushi et al., US 2005/0197727 A1 and Cogger et al., U.S. Patent 6,032,184 as applied to claim 22 above, and further in view of Walker et al., U.S. Patent 5,963,911.

Referring to claim 27, in Figure 5, Ogushi et al. disclose a user interface for entering data about the malfunction. However, Ogushi et al. don't explicitly disclose at least a fifth one of various elements includes a text area for entering information relating to the amount of time spent in maintaining a machine. In column 6, lines 25-36, Walker et al. disclose calculating the amount of time the technician would take to perform each job. It would have been obvious to one of ordinary skill at the time of the invention to include the calculation of the amount of time the technician would take to perform each job of Walker et al. into the data fields of Ogushi et al. A person of ordinary skill in the art would have been motivated to make the modification because it is important to any company or individual to know the length of downtime for a failure in order to adjust work schedules and productivity quotas.

Allowable Subject Matter

11. Claims 28, 30, and 31 are allowed.

12. The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach or reasonably suggest a performance measurement system configured to track mail items processed for testing while the in-progress production job is halted.

Response to Arguments

13. Applicant's arguments with respect to claims 1, 20, and 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited prior art is related to monitoring control systems.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Maskulinski whose telephone number is (571) 272-3649. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MM

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